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August 26, 2004
Date

Eric R. Benson
Eric R. Benson, Esq.

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Applicant : Mark R. Harvie **Group Art Unit:** 3744

Serial No.: 10/754,429 filed January 9, 2004 which claims priority from
Provisional Patent Application Number 60/439,972 which was filed on
January 14, 2003.

Filed: 1/9/04

Examiner: Chen Wen Jiang

Title: PERSONAL COOLING AND HEATING SYSTEM

Commissioner of Patents and Trademarks
Art Unit 3744
Washington, D.C. 20231

Dear Sir:

SPECIES ELECTION

In response to the undated First Office Action mailed on July 30, 2004, and the informal telephone conversation with the Examiner on July 27, 2004, please consider the following election of species for the above-identified application as follows:

The Applicant hereby elects Examiner identified Species C: thermoelectric cooler of Fig. 8 and hereby asserts that Claims 1,2,3,4,5,9,10,11,12,13, and 20 are readable on said Species C.

REMARKS

Examination of this application with the afore-mentioned election and in view of the following remarks is respectfully requested.

The Applicant contends that all originally filed 20 claims in this patent application are allowable. The Applicant asserts that the generic claims in this application are allowable and therefore

COVER PAGE

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Comment:

Dear Chen, the Applicants Species Election follows pursuant to your Office Action dated July 30, 2004, for Mark Harvie's PERSONAL COOLING AND HEATING SYSTEM, Appl. No. 10/754,429 - filed 01/09/2004. If you have any questions please do not hesitate to call. Thank you.